



House of Representatives

General Assembly

File No. 303

February Session, 2012

Substitute House Bill No. 5024

House of Representatives, April 10, 2012

The Committee on Government Administration and Elections reported through REP. MORIN of the 28th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING VOTING RIGHTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2013*) (a) As used in this section,
2 "election day" means the day on which a regular election, as defined in
3 section 9-1 of the general statutes, is held.

4 (b) Notwithstanding the provisions of chapter 143 of the general
5 statutes, a person who (1) is (A) not an elector, or (B) an elector
6 registered in a municipality who wishes to change his or her
7 registration to another municipality pursuant to the provisions of
8 subdivision (2) of subsection (e) of this section, and (2) meets the
9 eligibility requirements under subsection (a) of section 9-12 of the
10 general statutes, may apply for admission as an elector on election day
11 pursuant to the provisions of this section.

12 (c) (1) The registrars of voters shall designate a location for the
13 completion and processing of election day registration applications on

14 election day, provided the registrars of voters have access to the state-
15 wide centralized voter registration system from such location.

16 (2) The registrars of voters may appoint one or more election
17 officials to serve at such location and may delegate to such election
18 officials any of the responsibilities assigned to the registrars of voters.
19 The registrars of voters shall supervise such election officials and train
20 such election officials to be election day registration election officials.

21 (d) Any person applying to register on election day under the
22 provisions of this section shall make application in accordance with the
23 provisions of section 9-20 of the general statutes, provided (1) on
24 election day, the applicant shall appear in person at the location
25 designated by the registrars of voters for election day registration, (2)
26 an applicant who is a student enrolled at an institution of higher
27 education may submit a current photo identification card issued by
28 said institution in lieu of the identification required by section 9-20 of
29 the general statutes, and (3) the applicant shall declare under oath that
30 the applicant has not previously voted in the election. If the
31 information that the applicant is required to provide under said
32 section 9-20 and this section does not include proof of the applicant's
33 residential address, the applicant shall also submit identification that
34 shows the applicant's bona fide residence address, including, but not
35 limited to, a learner's permit issued under section 14-36 of the general
36 statutes or a utility bill that has the applicant's name and current
37 address and that has a due date that is not later than thirty days after
38 the election or, in the case of a student enrolled at an institution of
39 higher education, a registration or fee statement from such institution
40 that has the applicant's name and current address.

41 (e) If the registrars of voters determine that an applicant satisfies the
42 application requirements set forth in subsection (d) of this section, the
43 registrars of voters shall check the state-wide centralized voter
44 registration system before admitting such applicant as an elector.

45 (1) If the registrars of voters determine that the applicant is not
46 already an elector, the registrars of voters shall admit the applicant as

47 an elector and the privileges of an elector shall attach immediately.

48 (2) If the registrars of voters determine that such applicant is an
49 elector in another municipality and such applicant states that he or she
50 wants to change the municipality in which the applicant is an elector,
51 notwithstanding the provisions of section 9-21 of the general statutes,
52 the registrars of voters of the municipality in which such elector now
53 seeks to register shall immediately notify the registrars of voters in
54 such other municipality that such elector is changing the municipality
55 in which the applicant is an elector. The registrars of voters in such
56 other municipality shall immediately notify the election officials in
57 such municipality to remove such elector from the official voter list of
58 such municipality. Such election officials shall cross through the
59 elector's name on such official voter list and mark "off" next to such
60 elector's name on such official voter list. If the registrars of voters of
61 the municipality in which the applicant is attempting to register are
62 unable to immediately contact the registrars of voters in the other
63 municipality, the registrars of voters shall permit such applicant to
64 vote, but shall not count the ballot unless the registrars of voters are
65 able to confirm that the applicant did not vote in the other
66 municipality.

67 (A) If it is reported that such applicant already voted in such other
68 municipality, the registrars of voters of such other municipality shall
69 immediately notify the registrars of voters of the municipality in which
70 such elector now seeks to register. In such event, such elector shall not
71 receive an election day registration ballot from the registrars of voters
72 of the municipality in which such elector now seeks to register. For any
73 such elector, the election day registration process shall cease in the
74 municipality in which such elector now seeks to register and such
75 matter shall be reviewed by the registrars of voters in the municipality
76 in which such elector now seeks to register. After completion of such
77 review, if a resolution of the matter can not be made, such matter shall
78 be reported to the State Elections Enforcement Commission which
79 shall conduct an investigation of the matter.

80 (B) If there is no such report that such applicant already voted in the
81 other municipality, the registrars of voters of the municipality in which
82 the applicant seeks to register shall admit the applicant as an elector
83 and the privileges of an elector shall attach immediately.

84 (f) If the applicant is admitted as an elector, the registrars of voters
85 shall provide the elector with an election day registration ballot and
86 election day registration envelope and shall make a record of such
87 issuance. The elector shall complete an affirmation imprinted upon the
88 back of the envelope for an election day registration ballot and shall
89 declare under oath that the applicant has not previously voted in the
90 election. The affirmation shall be in the form substantially as follows
91 and signed by the voter:

92 AFFIRMATION: I, the undersigned, do hereby state, under penalty
93 of false statement, (perjury) that:

94 1. I am the person admitted here as an elector in the town indicated.

95 2. I am eligible to vote in the election indicated for today in the town
96 indicated.

97 3. The information on my voter registration card is correct and
98 complete.

99 4. I reside at the address that I have given to the registrars of voters.

100 5. If previously registered at another location, I have provided such
101 address to the registrars of voters and hereby request cancellation of
102 such prior registration.

103 6. I have not voted in person or by absentee ballot and I will not
104 vote otherwise than by this ballot at this election.

105 7. I completed an application for an election day registration ballot
106 and received an election day registration ballot.

107 (Signature of voter)

108 (g) The elector shall forthwith mark the election day registration
109 ballot in the presence of the registrars of voters in such a manner that
110 the registrars of voters shall not know how the election day
111 registration ballot is marked. The elector shall place the election day
112 registration ballot in the election day registration ballot envelope
113 provided, and deposit such envelope in a secured election day
114 registration ballot depository receptacle. At the time designated by the
115 registrars of voters and noticed to election officials, the registrars of
116 voters shall transport such receptacle containing the election day
117 registration ballots to the area, either district or central, where absentee
118 ballots are counted and such election day registration ballots shall be
119 counted by the election officials present at such location. A section of
120 the head moderator's return shall show the number of election day
121 registration ballots received from electors. The registrars of voters shall
122 seal a copy of the vote tally for election day registration ballots in a
123 depository envelope with the election day registration ballots and store
124 such election day registration depository envelope with the other
125 election results materials. The election day registration depository
126 envelope shall be preserved by the registrars of voters for the period of
127 time required to preserve counted ballots for elections.

128 (h) The provisions of the general statutes and regulations
129 concerning procedures relating to the custody, control and counting of
130 absentee ballots shall apply as nearly as possible, to the custody,
131 control and counting of election day registration ballots under this
132 section.

133 (i) After the acceptance of an election day registration, the registrars
134 of voters shall forthwith send a registration confirmation notice to the
135 residential address of each applicant who is admitted as an elector on
136 election day under this section. Such confirmation shall be sent by first
137 class mail with instructions on the envelope that it be returned if not
138 deliverable at the address shown on the envelope. If a confirmation
139 notice is returned undelivered, the registrars shall forthwith take the
140 necessary action in accordance with section 9-35 or 9-43 of the general
141 statutes, as applicable, notwithstanding the May first deadline in

142 section 9-35 of the general statutes.

143 Sec. 2. (NEW) (*Effective July 1, 2013*) No person shall solicit in behalf
144 of or in opposition to the candidacy of another or himself or herself or
145 in behalf of or in opposition to any question being submitted at the
146 election, or loiter or peddle or offer any advertising matter, ballot or
147 circular to another person within a radius of seventy-five feet of any
148 outside entrance in use as an entry to the registrars' of voters
149 designated location for election day registration balloting or in any
150 corridor, passageway or other approach leading from any such outside
151 entrance to such registrars' of voters designated location or in any
152 room opening upon any such corridor, passageway or approach.

153 Sec. 3. Section 9-158a of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective July 1, 2013*):

155 As used in sections 9-139c, 9-140b, 9-158a to 9-158m, inclusive, as
156 amended by this act, and 9-307:

157 (1) "Federal election" means any general or special election or any
158 primary held solely or in part for the purpose of selecting, nominating
159 or electing any candidate for the office of President, Vice President,
160 presidential elector, member of the United States Senate or member of
161 the United States House of Representatives;

162 (2) "Former resident" means a person who was a bona fide resident
163 of a town in this state and who has ~~[removed]~~ moved from that town
164 to another state less than thirty days before the day of a presidential
165 election and who for that reason is unable to register to vote in the
166 election in ~~[his]~~ such person's present town or state of residence;

167 (3) "Overseas elector" means any person permitted to vote pursuant
168 to subsection (b) of section 9-158b;

169 (4) "Presidential election" means an election at which electors of
170 President and Vice-President are elected;

171 (5) "Resident" means a bona fide resident of a town in this state;

172 (6) "State" includes any of the several states, the District of
173 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
174 Islands; and

175 (7) "United States" includes the several states, the District of
176 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
177 Islands, but does not include American Samoa, The Canal Zone, the
178 trust territory of the Pacific Islands or any other territory or possession
179 of the United States.

180 Sec. 4. Subsection (a) of section 9-158b of the general statutes is
181 repealed and the following is substituted in lieu thereof (*Effective July*
182 *1, 2013*):

183 (a) Each citizen of the United States who is at least eighteen years of
184 age, is a [resident or] former resident and who has not forfeited [his]
185 such citizen's electoral privileges because of a disfranchising crime,
186 may vote for presidential and vice-presidential electors, but for no
187 other offices, in the town in this state in which [he resides, or] such
188 citizen formerly resided in the manner provided in sections 9-158c to 9-
189 158m, inclusive, as amended by this act.

190 Sec. 5. Subsections (a) and (b) of section 9-158c of the general
191 statutes are repealed and the following is substituted in lieu thereof
192 (*Effective July 1, 2013*):

193 (a) (1) Not earlier than forty-five days before the election and not
194 later than the close of the polls on election day, each [resident, or]
195 former resident who desires to vote in a presidential election under
196 sections 9-158a to 9-158m, inclusive, as amended by this act, may apply
197 for a "presidential ballot" to the municipal clerk of the town in which
198 [he] such former resident is qualified to vote on the form prescribed in
199 section 9-158d, as amended by this act. Application for a "presidential
200 ballot" may be made in person or absentee, in the manner provided for
201 applying for an absentee ballot under section 9-140, except as provided
202 in said sections 9-158a to 9-158m, inclusive.

203 (2) A municipal clerk shall have the authority to designate a location
204 in a municipal facility for the distribution, completion and processing
205 of presidential ballot applications and the distribution, casting and
206 return of presidential ballots under sections 9-158a to 9-158m,
207 inclusive, as amended by this act, on election day. Such municipal
208 clerk may appoint one or more presidential ballot assistants to serve at
209 such location, may delegate to such assistants any of the
210 responsibilities assigned to municipal clerks under said sections, and
211 shall train and supervise such presidential ballot assistants.

212 (b) Each overseas elector who desires to vote in a federal election
213 under subsection (b) of section 9-158b may apply for an overseas ballot
214 not earlier than (1) the forty-fifth day preceding a federal election
215 which is a general election or a general election held in conjunction
216 with a special election, and (2) the thirtieth day preceding a federal
217 election which is a primary or a federal election which is a special
218 election not held in conjunction with a general election. Application
219 shall be made to the town clerk of the municipality in which [he] the
220 elector is so qualified to vote on a form prescribed in subsection (b) of
221 section 9-158d.

222 Sec. 6. Subsection (a) of section 9-158d of the general statutes is
223 repealed and the following is substituted in lieu thereof (*Effective July*
224 *1, 2013*):

225 (a) The application for a presidential ballot shall be a form signed in
226 duplicate by the applicant under penalty of false statement in absentee
227 balloting, which shall provide substantially as follows:

228 To the Town Clerk of the Town of ..., Connecticut

229 I, the undersigned, declare under penalty of false statement in
230 absentee balloting that the following statements are true:

231 1. I am a citizen of the United States.

232 2. I have not forfeited my electoral privileges because of conviction

233 of a disfranchising crime.

234 3. I was born on ..., and on the day of the next presidential election,
235 I shall be at least 18 years of age. [Check and complete 4 or 5,
236 whichever applies:]

237 [4. RESIDENT. I am a bona fide resident of the above town, to
238 which I am making this application, and I reside at ... Street. I moved
239 to said town on the ... day of ..., 20... Before becoming a resident of
240 said town, I resided at ... Street, in the Town of ... County of ..., State
241 of ...]

242 [5.] 4. FORMER RESIDENT. I am a former resident of the above
243 town, to which I am making this application, and resided at ... Street
244 therein. I moved from such town to my present town and state of
245 residence on the ... day of ..., 20.., being within thirty days before the
246 date of the next presidential election, and for that reason I cannot
247 register to vote in said presidential election in my present town and
248 state of residence. I am now a bona fide resident of the Town of ..., in
249 the state of ..., now residing at ... Street therein.

250 [6.] 5. I hereby apply for a "presidential ballot" for the election to be
251 held on ..., 20... I have not voted and will not vote otherwise than by
252 this ballot at that election. I am not eligible to vote for electors of
253 President and Vice-President [in any other town in Connecticut or] in
254 any other state.

255 [7.] 6. The said ballot is to be given to me personally mailed to me at
256 ... (bona fide mailing address)

257 Dated at ..., this ... day of ... 20...

258 ... (Signature of applicant)

259 Sec. 7. Subsection (a) of section 9-158e of the general statutes is
260 repealed and the following is substituted in lieu thereof (*Effective July*
261 *1, 2013*):

262 (a) A person applying for a presidential ballot in person shall
263 present: (1) A current and valid photo identification, or (2) a copy of a
264 current utility bill, bank statement, government check, paycheck or
265 other government document that shows the name and address of the
266 voter. The application for a presidential ballot by mail shall be
267 accompanied by: (A) A copy of a current and valid photo
268 identification, or (B) a copy of a current utility bill, bank statement,
269 government check, paycheck or government document that shows the
270 name and address of the voter. Upon receipt of an application for a
271 presidential ballot under sections 9-158a to 9-158m, inclusive, as
272 amended by this act, the clerk, if satisfied that the application is proper
273 and that the applicant is qualified to vote under said sections, shall
274 forthwith give or mail to the applicant, as the case may be, a ballot for
275 presidential and vice-presidential electors for use at the election and
276 instructions and envelopes for its return. [At such time the clerks shall
277 also mail a duplicate of the application to the appropriate official of (i)
278 the state or the town in this state in which the applicant last resided in
279 the case of an applicant who is a resident, or (ii) the state or the town in
280 this state in which the applicant now resides in the case of an applicant
281 who is a former resident.]

282 Sec. 8. Section 9-158l of the general statutes is repealed and the
283 following is substituted in lieu thereof (*Effective July 1, 2013*):

284 Any person wilfully making a false statement on any statement
285 required by sections 9-158a to 9-158m, inclusive, as amended by this
286 act, to be made in the form of an affidavit or a statement under
287 penalties of false statement in absentee balloting, shall be subject to the
288 penalties imposed by law for such statements. If any public official
289 wilfully refuses or neglects to perform any of the duties prescribed by
290 sections [9-140b, 9-140c and] 9-158a to 9-158m, inclusive, as amended
291 by this act, or violates any of the provisions of said sections, [he] such
292 official shall be subject to the penalties imposed by law.

293 Sec. 9. (NEW) (*Effective July 1, 2013*) Not later than February 1, 2014,
294 the Secretary of the State shall report, in accordance with section 11-4a

295 of the general statutes, to the joint standing committee of the General
296 Assembly having cognizance of matters relating to elections on the
297 administration of election day registration. Such report shall address
298 any issues or concerns regarding the administration of election day
299 registration during the November 2013 election, including, but not
300 limited to, ballot security and privacy. The Secretary of the State, in
301 consultation with the State Elections Enforcement Commission, shall
302 conduct interviews with registrars of voters, poll workers and
303 candidates from municipalities with small, medium and large
304 populations in order to determine the efficacy of election day
305 registration during the November 2013 election and include any
306 concomitant observations and results in such report, including, but not
307 limited to, ways in which ballot security and privacy on election day
308 can be enhanced.

309 Sec. 10. (NEW) (*Effective January 1, 2014*) (a) The Secretary of the
310 State shall establish and maintain a system for online voter
311 registration. Such system shall also permit a registered elector to apply
312 for changes to such elector's registration. An applicant may register to
313 vote through this system, provided the applicant's (1) registration
314 information is verifiable in the manner described in subsection (b) of
315 this section, and (2) signature is in a database described in said
316 subsection (b) and such signature may be imported into such system
317 for online voter registration.

318 (b) A state agency, upon the request of the Secretary of the State,
319 shall provide any information to the Secretary that the Secretary deems
320 necessary to maintain the system for online voter registration. The
321 Secretary may cross reference the information input into the system by
322 applicants with data or information contained in any state agency's
323 database or a database administered by the federal government, or any
324 voter registration database of another state, in order to verify the
325 information submitted by applicants. The Secretary shall not use the
326 information obtained from any such database except to verify
327 information submitted by the applicant, provided the applicant's
328 signature, if part of data contained in the state agency's database, shall

329 be included as part of the applicant's information contained in the
330 system for online voter registration.

331 (c) The submission of an online application shall contain all of the
332 information that is required for an application under section 9-23h of
333 the general statutes, except that a signature shall be obtained from
334 another state agency's database pursuant to subsection (b) of this
335 section.

336 (d) In order for an applicant's registration or change in registration
337 to be approved, the applicant shall mark the box associated with the
338 following statement included as part of the online application:

339 "By clicking on the box below, I swear or affirm all of the following
340 under penalty of perjury:

341 (1) I am the person whose name and identifying information is
342 provided on this form, and I desire to register to vote in the State of
343 Connecticut.

344 (2) All of the information I have provided on this form is true and
345 correct as of the date I am submitting this form.

346 (3) I authorize the Department of Motor Vehicles or other
347 Connecticut state agency to transmit to the Connecticut Secretary of
348 the State or my town's registrars of voters my signature that is on file
349 with such agency and understand that such signature will be used by
350 the Secretary of the State or my town's registrars of voters on this
351 online application for admission as an elector as if I had signed this
352 form personally."

353 (e) Upon approval of such application, the registrars of voters shall
354 send a notice of approval pursuant to section 9-19b of the general
355 statutes to the applicant.

356 (f) If an applicant registers to vote pursuant to the provisions of this
357 section after the fourteenth day before an election or after the fifth day
358 before a primary, the privileges of an elector shall not attach until the

359 day after such election or primary, as the case may be. In such event,
360 the registrars of voters may contact such applicant, either by telephone
361 or mail, in order to inform such applicant of the effect of such late
362 received application and any applicable deadline for applying for
363 admission in person.

364 Sec. 11. Subdivision (2) of subsection (a) of section 9-7b of the 2012
365 supplement to the general statutes is repealed and the following is
366 substituted in lieu thereof (*Effective January 1, 2014*):

367 (2) To levy a civil penalty not to exceed (A) two thousand dollars
368 per offense against any person the commission finds to be in violation
369 of any provision of chapter 145, part V of chapter 146, part I of chapter
370 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17,
371 section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h,
372 9-23j to 9-23o, inclusive, as amended by this act, 9-23r, 9-26, 9-31a, 9-32,
373 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-
374 171, 9-172, 9-232i to 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409,
375 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k, [or] 9-
376 453o, section 1 of this act, section 2 of this act or section 10 of this act,
377 (B) two thousand dollars per offense against any town clerk, registrar
378 of voters, an appointee or designee of a town clerk or registrar of
379 voters, or any other election or primary official whom the commission
380 finds to have failed to discharge a duty imposed by any provision of
381 chapter 146 or 147, (C) two thousand dollars per offense against any
382 person the commission finds to have (i) improperly voted in any
383 election, primary or referendum, and (ii) not been legally qualified to
384 vote in such election, primary or referendum, or (D) two thousand
385 dollars per offense or twice the amount of any improper payment or
386 contribution, whichever is greater, against any person the commission
387 finds to be in violation of any provision of chapter 155 or 157. The
388 commission may levy a civil penalty against any person under
389 subparagraph (A), (B), (C) or (D) of this subdivision only after giving
390 the person an opportunity to be heard at a hearing conducted in
391 accordance with sections 4-176e to 4-184, inclusive. In the case of
392 failure to pay any such penalty levied pursuant to this subsection

393 within thirty days of written notice sent by certified or registered mail
 394 to such person, the superior court for the judicial district of Hartford,
 395 on application of the commission, may issue an order requiring such
 396 person to pay the penalty imposed and such court costs, state
 397 marshal's fees and attorney's fees incurred by the commission as the
 398 court may determine. Any civil penalties paid, collected or recovered
 399 under subparagraph (D) of this subdivision for a violation of any
 400 provision of chapter 155 applying to the office of the Treasurer shall be
 401 deposited on a pro rata basis in any trust funds, as defined in section 3-
 402 13c, affected by such violation;

403 Sec. 12. Section 9-23k of the general statutes is repealed and the
 404 following is substituted in lieu thereof (*Effective January 1, 2014*):

405 The Secretary of the State shall be the chief state election official
 406 responsible for coordination of state responsibilities under the
 407 National Voter Registration Act of 1993, P.L. 103-31, as amended from
 408 time to time, except that the State Elections Enforcement Commission
 409 shall be responsible for the investigation of any complaint alleging a
 410 violation of sections 9-7b, as amended by this act, and 9-12, subsection
 411 (a) of section 9-17, sections 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21,
 412 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, as amended by this act, 9-
 413 26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, [and] 9-
 414 59, section 1 of this act, section 2 of this act and section 10 of this act
 415 and shall have the authority to enforce the provisions of said sections
 416 by use of its powers as prescribed in section 9-7b, as amended by this
 417 act.

418 Sec. 13. Section 9-158k of the general statutes is repealed. (*Effective*
 419 *July 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>July 1, 2013</i>	New section
Sec. 3	<i>July 1, 2013</i>	9-158a

Sec. 4	<i>July 1, 2013</i>	9-158b(a)
Sec. 5	<i>July 1, 2013</i>	9-158c(a) and (b)
Sec. 6	<i>July 1, 2013</i>	9-158d(a)
Sec. 7	<i>July 1, 2013</i>	9-158e(a)
Sec. 8	<i>July 1, 2013</i>	9-158l
Sec. 9	<i>July 1, 2013</i>	New section
Sec. 10	<i>January 1, 2014</i>	New section
Sec. 11	<i>January 1, 2014</i>	9-7b(a)(2)
Sec. 12	<i>January 1, 2014</i>	9-23k
Sec. 13	<i>July 1, 2013</i>	Repealer section

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Secretary of the State	Various - Cost	See Below	See Below

Municipal Impact:

Municipalities	Effect	FY 13 \$	FY 14 \$
All Municipalities	STATE MANDATE - Cost	None	See Below

Explanation

The bill will result in a cost to the Secretary of the State (SOTS) of approximately \$250,000 associated with establishing an online voter registration system. It is expected that this cost will be covered with General Obligation (GO) bond funds authorized in FY 11, and with federal funds the agency receives pursuant to the Help America Vote Act.

This cost is minimally offset by savings for the SOTS associated with printing and mailing fewer presidential ballots due to the implementation of Election Day registration. This savings is estimated to be less than \$1,000 per presidential election cycle.

The bill will also result in a cost to municipalities associated with hiring additional Election Day workers. This cost is expected to vary by the type of election, and by the population of the municipality.

To estimate the cost of hiring additional Election Day workers,

completed 2008 presidential ballots were analyzed.¹ Under current law, individuals who are not registered to vote on Election Day may vote for the President by filling out a presidential ballot. In Hartford, 1,350 presidential ballots were completed in 2008. Assuming that a municipality would require one additional worker for every 85 to 150 people who may register to vote on Election Day, it is estimated that a large city such as Hartford would need 9 to 16 additional Election Day workers during a presidential election. A medium-sized city such as Manchester may require 5 to 8 additional workers to handle 715 additional voters. A smaller town, like Colchester, may require 1 or 2 additional workers for 150 additional voters. Election Day workers are typically paid \$11 to \$15 per hour and work approximately a 16-hour shift on Election Day. This results in the following range of costs associated with additional workers during a presidential election:

Town	Approximate Cost of Added Workers During a Presidential Election
Large City (e.g. Hartford)	\$1,584 - \$3,840
Medium City (e.g. Manchester)	\$880 - \$1,920
Small Town (e.g. Colchester)	\$176 - \$480

Some towns may incur additional costs associated with training workers, printing additional ballots, and printing and mailing registration confirmation notices. These costs vary based on the number of workers who need training, the size of the municipality, and the type of election, but are estimated to be less than \$2,500 in a large city during a presidential election.

It is anticipated that these costs would be lower during state and municipal elections, as fewer workers would be needed to handle fewer Election Day registrants. For example, it is estimated that Hartford may need 5 to 8 additional workers during a state election year to handle approximately 700 additional voters, and that during a municipal election year, they would need 2 to 4 additional workers to

¹ 2008 Head Moderators' returns were used for the analysis.

handle approximately 300 additional voters.

The provisions of the bill regarding Election Day registration are effective July 1, 2013. Therefore, municipalities would first be impacted in FY 14, during the November 2013 municipal elections.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5024*****AN ACT CONCERNING VOTING RIGHTS.*****SUMMARY:**

This bill allows eligible people to register to vote and cast a ballot on Election Day (i.e., the day of a regular state or municipal election). It establishes Election Day registration (EDR) procedures and eliminates the use of presidential ballots by current state residents since they may instead vote under the bill's EDR provisions. By February 1, 2014, the bill requires the secretary of the state to report to the Government Administration and Elections (GAE) Committee on EDR administration.

The bill requires the secretary of the state to establish and maintain an online system for (1) new voter registration applications and (2) changes to existing registrations. The system must be capable of (1) cross referencing and verifying information in other state or federal government databases and (2) importing applicants' signatures from those databases. The bill also establishes approval and confirmation procedures.

The State Elections Enforcement Commission (SEEC) is responsible for enforcing the bill's EDR and online voter registration system provisions. Toward that end, the bill requires the SEEC to investigate complaints alleging a violation of these provisions, and authorizes it to levy a civil penalty of up to \$2,000 against violators. In addition, anyone who fraudulently votes or registers under these provisions is guilty of perjury.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2013, except the online voter registration system provisions are effective January 1, 2014.

EDR

Location and Officials

The bill requires registrars of voters to designate a location for completing and processing EDR applications. The location must be one where registrars can access the statewide centralized voter registry system (CVRS).

The bill prohibits the same activities in or near the EDR location as the law prohibits in or near a polling place. This means no one can be within 75 feet of the entrance to the EDR location or in any hallway or other approach to it to solicit support for, or opposition to, a candidate or ballot question; loiter; peddle; or offer advertising material or circulars.

The bill authorizes registrars of voters to appoint one or more election officials to serve at these locations and delegate to these official(s) any of their responsibilities. The registrars must train and supervise the officials.

Eligibility

The bill permits anyone to register and vote in person on Election Day if he or she meets the eligibility requirements for voting in this state and is (1) not already an elector or (2) registered in one municipality but wants to change his or her registration because he or she currently resides in another municipality.

By law, a person is eligible to register and vote if he or she is (1) a U.S. citizen, (2) age 18 or older, and (3) a bona fide resident of the municipality in which he or she applies for admission. Mentally incompetent people cannot be admitted as electors and people convicted of a felony and committed to the custody of the commissioner of correction forfeit their electoral rights while incarcerated.

Application Procedures and Identification Requirements

Under the bill, applicants must appear in person at the designated EDR location and declare under oath that they have not previously voted in the election. They must complete the voter registration form and provide the same information the law requires anyone seeking to be an elector in this state to provide. This means they must provide their birth certificate, driver's license, or Social Security card. If this identification (ID) does not include proof of residential address, the bill requires an EDR applicant to also submit another form of ID showing his or her address. The additional ID may include a driver's learner's permit, utility bill due no later than 30 days after the election, or current college registration or fee statement.

The bill allows college students to present their student photo ID in lieu of the identification required by law.

Checking Eligibility

Registrars of voters must check the CVRS before admitting an applicant as an elector. If they determine an applicant is qualified to register, they must admit him or her and electoral privileges attach immediately.

If the registrars determine that the applicant is registered in another municipality but he or she wants to change his or her registration location, they must immediately notify the registrars in the municipality where the applicant is currently registered and request that they remove the elector's name from their official registry list. The election officials in that municipality must cross through the elector's name on the list and write "off" next to it. If the registrars are unable to immediately contact the registrars in the municipality where the applicant is currently registered, they must still permit the applicant to vote. But they cannot count the ballot unless they confirm that the applicant did not vote in the other municipality.

If the registrars learn that the applicant has already voted in the other municipality, they must deny him or her a ballot, cease the

registration process, and review the matter. If the matter cannot be resolved on review, the registrars must report it to the SEEC for investigation.

Voting Procedures

Registrars of voters must give an EDR ballot and envelope to an applicant whom they admit as an elector and record the issuance. The elector must (1) declare under oath that he or she has not previously voted in the election and (2) sign the following affirmation, which must be printed on the back of the security envelope:

AFFIRMATION: I, the undersigned, do hereby state, under penalty of false statement, (perjury) that:

1. I am the person admitted here as an elector in the town indicated.
2. I am eligible to vote in the election indicated for today in the town indicated.
3. The information on my voter registration card is correct and complete.
4. I reside at the address that I have given to the registrars of voters.
5. If previously registered at another location, I have provided such address to the registrars of voters and hereby request cancellation of such prior registration.
6. I have not voted in person or by absentee ballot and I will not vote otherwise than by this ballot at this election.
7. I completed an application for an Election Day registration ballot and received an Election Day registration ballot.

The newly admitted elector must secretly mark the ballot in the presence of the registrars, place it in the EDR envelope, and deposit the

envelope in a secured EDR ballot depository receptacle. The bill does not specify how registrars will identify ballots of voters who they were unable to confirm did not already vote in another municipality.

Counting Procedures

Under the bill, the law's procedures relating to the custody, control, and counting of absentee ballots must apply as nearly as possible to the custody, control, and counting of EDR ballots. Among other things, this means that at the time designated by registrars and noticed to election officials, registrars must transport the receptacle for ballot counting to the same area (district or central location) where absentee ballots are counted. It also means:

1. the election officials present at the location count the ballots;
2. a section of the head moderator's return must show the number of EDR ballots cast;
3. the registrars must seal a copy of the EDR vote tally in the depository envelope with the ballots and store the envelope with the other election results materials; and
4. the registrars must preserve the envelope for 180 days after the election, the same period of time the law requires other counted ballots to be preserved.

Confirmation Procedures

Registrars of voters must immediately send a registration confirmation notice by first-class mail to the residential address of each EDR applicant they admit. The envelope must have instructions for returning a confirmation notice that is not deliverable to the address shown. If the confirmation is returned as undelivered, the registrars must take other actions required by law to verify the address. However, they must take these actions immediately and cannot wait until the May 1st deadline that otherwise applies to verifying names on the registry. If the address cannot be verified, registrars must place the elector's name on the inactive list and remove it after four years, unless

during this period the elector applies for restoration to the active list or votes.

Report

The secretary of the state must report to the GAE Committee by February 1, 2014 on any issues or concerns that arise during the November 2013 municipal election with respect to EDR administration, including ballot security and privacy. In consultation with the SEEC, the secretary must interview registrars of voters, poll workers, and candidates from municipalities with small, medium, and large populations to determine the efficacy of EDR. The report must include observations, results, and ways to enhance ballot security and privacy.

Presidential Ballots

Current law allows unregistered Connecticut residents and former state residents who move to another state after its registration deadline to apply for a presidential ballot to vote for candidates for president and vice-president, but no other offices. The bill eliminates the provision allowing Connecticut residents to vote by presidential ballot, leaving the procedures in place for former state residents only. Under the bill, unregistered state residents would instead follow EDR procedures.

The application and voting procedures (which include the requirement to show current ID) remain the same as under existing law. The bill also eliminates the requirement for clerks to mail duplicate copies of presidential ballot applications to the appropriate state or local official in the municipality where the applicant resides or formally resided.

ONLINE VOTER REGISTRATION

The bill requires the secretary of the state to establish and maintain an online voter registration system. In addition to new registrations, the system must permit a registered voter to apply to make changes online to his or her existing registration information. The bill does not

set a deadline by which the secretary must establish the system.

Eligibility

An applicant may register to vote through the online voter registration system if his or her (1) registration information is verifiable and (2) signature is in a federal or state database and may be imported into the system. (The secretary must include the applicant's signature as part of the application.) The applicant must also meet this state's eligibility requirements for registration.

Required Information

The bill requires the online application to contain the same information that the law requires for mail-in voter registration applications, except that the signature must be imported from another state agency's database. This means the application must contain the applicant's:

1. name;
2. bona fide residence, including street number, street address, apartment number if applicable, town, and zip code;
3. telephone number;
4. date of birth;
5. party affiliation, if any; and
6. Connecticut motor vehicle operator's license number or, if none, the last four digits of the applicant's Social Security number.

It must also indicate whether the applicant:

1. is registered as an elector in any other Connecticut town or in any other state, and if so, the applicant's last previous voting residence;
2. is a U.S. citizen; and

3. will be age 18 on or before Election Day.

Verification and Approval

The bill requires state agencies to provide information to the secretary of the state, upon her request, that she deems necessary to maintain the online voter registration system. It authorizes the secretary to use any state or federal government database, or another state's voter registration database, to cross reference and verify applicants' information, but prohibits her from using the information she obtains for any other purpose.

For an online voter registration or change in registration to be approved, an applicant must click the box next to the following statement:

"By clicking on the box below, I swear or affirm all of the following under penalty of perjury:

1. I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Connecticut.
2. All of the information I have provided on this form is true and correct as of the date I am submitting this form.
3. I authorize the Department of Motor Vehicles or other Connecticut state agency to transmit to the Connecticut Secretary of the State or my town's registrars of voters my signature that is on file with such agency and understand that such signature will be used by the Secretary of the State or my town's registrars of voters on this online application for admission as an elector as if I had signed this form personally."

Upon approval of an application, the registrars of voters must send an acceptance notice according to procedures the law establishes for other voter registration approvals. This means the registrars must send the notice by first-class mail and the envelope must have instructions

for returning it if it is not deliverable to the address shown.

When Electoral Privileges Attach

The bill aligns the deadlines for online registration applications with the deadlines that the law sets for mail-in registration applications. This means that for electoral privileges to attach by an upcoming primary or election, applicants must register by the 5th or 14th day preceding it, respectively. Otherwise, privileges attach the day after the primary or election as appropriate. Under these circumstances, the bill authorizes registrars to contact applicants, by telephone or mail, to inform them of their options and the deadlines for registering in person.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 11 Nay 4 (03/21/2012)